

Remarks

Drawings

Examiner objected to Figure 18, item 63 not being mentioned in the disclosure. Item 63 is mentioned on page 16, line 23 of the disclosure. Examiner objected to Figure 19, item 86 not being mentioned in the disclosure. Item 86 is mentioned on page 16, line 21 of the disclosure. Examiner's foregoing objections are therefore respectfully traversed. Therefore, no amended drawings are submitted herein.

Applicant had previously attempted to correlate correspondence of figure items to disclosure mentions, to ensure compliance with 37 CFR 1.121 (d). Applicant will of course respectfully respond to any oversights that Examiner may find.

Applicant respectfully mentions that, working in electronic format, applicant can readily correlate figure items to disclosure mentions via a simple search. Examiner may not have such ready convenience. Applicant respectfully suggests, as a convenience to Examiner, that Examiner feel free to call applicant to inquire about any such objections, or any other matters related to prosecution of this application, as befits Examiner's inclination.

Claim Objections

Respectfully traversing Examiner's objections, claims 31 and 39 as previously presented did further limit the subject matter of their respective independent claims, with the limitation of "comparing a subsequent signature submission to said recording." Practically speaking, this limitation necessitates obtaining/recording "a subsequent signature submission" and comparing it to the recording of the created signature per the independent claim.

35 U.S.C. §112

Applicant has currently amended claims 31 and 39 to claim authentication predicated upon a "designated tolerance of inexactness." Applicant thanks Examiner for pointing out the previous indefiniteness.

35 U.S.C. §102 Prior Art - USPN 6,618,806 (Brown)

Claim 27

Brown failed to anticipate the most significant novel limitation of the claim 27: "creating a signature" using "at least one user-selected device." In plain English, the user selects the device for creating a signature.

Brown: "A system administrator can set the primary biometric type and technology for each user." [4:19-21] Brown further clarifies that anticipation was limited to administrator control, not user control, as evidenced further in his describing "extensions" in [4:48-59].

Brown [5:3-25] described a "user is challenged to provide a biometric input for capture by the system." There was no suggestion in Brown that the user has a choice of the biometric input to provide in creating a signature, as claimed.

Further, Brown failed to anticipate "at least one user-selectable input device affords recording a plurality of signal types." Examiner suggested column 7 offered some evidence, but Brown made no suggestion that a device record multiple signal types.

Claim 35

Similar to claim 27 with regard to user selection, claim 35 specifies: 1) "user selection of ... [a] signal type"; and 2) "user-selected input device." Brown offered no such user selection.

Also, as with claim 27, Brown lacked anticipation of recording multiple signal types from the claimed "user-selectable input device."

Claim 46

While retaining the claim limitation of "a user-selected input device," like claim 27, claim 46 goes to structuring storage of signature data.

Brown's failure to anticipate "a user-selected input device" has been chronicled foregoing in remarks for claim 27.

To further distinguish novelty, claim 46 is currently amended to include another limitation unanticipated by Brown: "at least two signals types are associated with at least one single input device."

Claim 28

Applicant respectfully traverses Examiner's assertion of Brown anticipating the claimed limitation of "recording ... signals from a plurality of user-selected devices."

First, Brown's devices were not user-selected, as argued foregoing.

Second, in the context of the claim, that is, in creating a signature, Brown did not anticipate using multiple devices. While Brown mentioned both a biometric reading and a password, those would be different signatures, not "a signature," that is, a single signature, as claimed.

Claim 29

As argued foregoing, Brown offered no anticipation of user selection.

Claim 29 appends a limitation of user selection of signal type. First, Brown made no suggestion of recording multiple signal types from a device. Second, ergo, Brown did not anticipate user selection of signal type.

Claim 30

As currently amended, claim 30 excludes biometrics, which are not "user-controllable in duration" as claimed. Brown therefore did not anticipate passive termination as claimed.

Claim 32

Brown's rule-based authentication did not anticipate the limitations culminating in claim 32, a user-designated tolerance of exactness.

Claim 33

Brown did not disclose presenting a signature recording to a user for editing as claimed.

Claim 36

Brown had nothing to say about a signature recording employing "a plurality of user-selected devices" as claimed.

Claim 37

Brown stated nothing about recording signature signals of multiple types prior to receiving user selection of the type(s) to use, per claim 37.

Claim 38

Brown failed to anticipate whatsoever creating a signature "wherein at least one said signal type comprises input from a plurality of devices."

Claims 31 and 39

Brown did not mention allowing authentication "within a designated tolerance of inexactness", as claimed.

Claims 34, 40, and 49

Editing passwords comprising text-character codes is well known in the prior art. Claims 34, 40, and 49 are currently amended to exclude such passwords. Brown did not disclose editing or allowing user editing of a signature as claimed.

Claim 41

Brown had nothing to say about recording a signature of "a plurality of user-selected signal types."

Claim 47

Brown never mentioned linking portions of a stored signature as claimed.

35 U.S.C. §102 Prior Art - USPN 5,896,497

Claim 42

Halstead disclosed monitoring for an unprompted password.

Halstead had no anticipation of the claimed process. Halstead did not anticipate accumulating keys based "upon receiving a first portion of ... user input" as claimed. Halstead did not anticipate thereupon "discarding from further processing previously accumulated keys."

Claim 43

Halstead had no anticipation of accepting an authentication "match within a designated tolerance of inexactness" as claimed.

Claim 44

Halstead never even mentioned the concept of key-based authentication as claimed in 42, let alone accessing keys by reference as claimed in 44.

Claim 45

Halstead never suggested signature input from a plurality of devices.

Halstead's unprompted password would have been one signature, and his disclosed user "event" after system startup something else; it is absurd to call Halstead's "event" a signature, as Halstead was too vague as to the purpose of the event, other than possibly triggering looking for previous password input. Please refer to Halstead [2:49-60].

The claims which Examiner rejected had very specific limitations. With all due respect, Examiner repeatedly rejected claims with broad-brush assertions of anticipation, citing large sections of a prior art disclosure, with no specific mention of where or how a prior art reference offered anticipation. MPEP 706 states: "In rejecting claims for want of novelty... the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained..."

Examiner's rejections of claims based upon prior art are respectfully traversed. Applicant respectfully submits claims now drafted are allowable under statute.